

Nos. 24-1278, -1354

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

CPC PATENT TECHNOLOGIES PTY LTD.,

Appellant,

V.

APPLE INC.,

Appellee.

Appeals from the U.S. Patent and Trademark Office,
Patent Trial and Appeal Board in Nos. IPR2022-00601, IPR2022-00602

**APPLE INC.'S UNOPPOSED MOTION FOR EXTENSION
OF TIME TO FILE THE RESPONSE BRIEF**

Appellee Apple Inc. moves under Federal Circuit Rule 26(b) for a 30-day extension of time in which to file its response brief, to and including Wednesday, July 3, 2024. Apple's response brief currently is due Monday, June 3, 2024. This is the first request for an extension of time to file the response brief. Appellant CPC Technologies Pty Ltd. has stated that it does not oppose the requested extension and will not file a response.

Good cause exists for the requested extension. Counsel for Apple had and have several other matters pending in this and other courts. Counsel recently filed a reply brief on May 6 in *C.R. Bard, Inc. v. AngioDynamics, Inc.*, 23-2056 (Fed. Cir.);

and an opening and response brief on May 13 in *Fate Therapeutics, Inc. v. Shoreline Biosciences, Inc.*, Nos. 24-1021, 24-1055 (Fed. Cir.). Counsel also have a response brief due June 10 in *CPC Patent Technologies Pty Ltd. v. Apple Inc.*, No. 24-1365 (Fed. Cir.); a response brief due June 18 in *Rutter v. Apple Inc.*, No. 24-715 (9th Cir.); a response and reply brief due July 8 in *Apple Inc. v. MemoryWeb LLC*, Nos. 23-2361, -1043, -1050, -1318, -1320 (Fed. Cir.); oral argument on July 9 in *C. R. Bard, Inc. v. Atrium Medical Components*, No. 23-16020 (9th Cir.); a reply brief due July 15 in *Brita v. ITC*, No. 24-1098 (Fed. Cir.); and a response brief due July 17 in *Beckman Coulter, Inc. v. Sirigen II Limited*, No. 24-1512 (Fed. Cir.).

For these reasons, Apple respectfully requests that the Court grant an extension of time, to and including Wednesday, July 3, 2024, in which to file the response brief.

Dated: May 17, 2024

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Respectfully submitted,

/s/ Seth W. Lloyd
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Counsel for Apple Inc.

CERTIFICATE OF INTEREST

Counsel for Apple Inc. certify under Federal Circuit Rule 47.4 that the following information is accurate and complete to the best of their knowledge:

1. **Represented Entities.** Provide the full names of all entities represented by undersigned counsel in this case.

Apple Inc.

2. **Real Parties in Interest.** Provide the full names of all real parties in interest for the entities. Do not list the real parties if they are the same as the entities.

None.

3. **Parent Corporations and Stockholders.** Provide the full names of all parent corporations for the entities and all publicly held companies that own 10% or more stock in the entities.

None.

4. **Legal Representatives.** List all law firms, partners, and associates that (a) appeared for the entities in the originating court or agency or (b) are expected to appear in this court for the entities. Do not include those who have already entered an appearance in this court.

ERISE IP, P.A.: Jennifer C. Bailey, Adam P. Seitz

5. **Related Cases.** Other than the originating case(s) for this case, are there related or prior cases that meet the criteria under Fed. Cir. R. 47.5(a)?

Yes, see separately filed notice.

6. **Organizational Victims and Bankruptcy Cases.** Provide any information required under Fed. R. App. P. 26.1(b) (organizational victims in criminal cases) and 26.1(c) (bankruptcy case debtors and trustees).

Not applicable.

Dated: May 17, 2024

/s/ Seth W. Lloyd

Seth W. Lloyd

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**DECLARATION OF SETH W. LLOYD IN SUPPORT OF
APPLE INC.'S UNOPPOSED MOTION FOR EXTENSION
OF TIME TO FILE THE RESPONSE BRIEF**

I, Seth W. Lloyd, hereby declare under penalty of perjury under 28 U.S.C.
§ 1746:

1. I am an attorney duly licensed to practice law in the District of Columbia and the state of California, and I am admitted to practice before this Court. I am of counsel with the law firm of Morrison & Foerster LLP, and counsel of record for appellee Apple Inc. in this appeal. I make this declaration in support of Apple's unopposed motion for a 30-day extension of time in which to file the response brief, from Monday, June 3, 2024, to Wednesday, July 3, 2024.

2. All of the facts set out in the motion are, to the best of my knowledge, true and correct, and are based on my personal knowledge.

Executed on this 17th day of May, 2024.

/s/ Seth W. Lloyd

Seth W. Lloyd

CERTIFICATE OF COMPLIANCE

The foregoing filing complies with the relevant type-volume limitations of the Federal Rules of Appellate Procedure and Federal Circuit Rules because it has been prepared using a proportionally spaced typeface and includes 276 words, excluding the parts exempted by the Rules.

Dated: May 17, 2024

/s/ Seth W. Lloyd